

OCT 27 2004

FAX TRANSMISSION**DATE:** October 27, 2004**PTO IDENTIFIER:** Application Number 09/889,287-Conf. #2444
Patent Number**Inventor:** John A. Montgomery et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP
Burton A. Amernick**PHONE:** (202) 331-7111**Attorney Dkt. #:** 21381-00067-US**PAGES (Including Cover Sheet):** 5**CONTENTS:** D.A. auth \$225
Fee transmittal
Transmittal Of Additional Fees and Declaration of Burton A. Amernick
Certificate of Transmission under 37 CFR 1.8 (1 page).

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PTO/SB/97 (12-97)

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Fee transmittal

Transmittal Of Additional Fees and Declaration of Burton A. Amernick

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OCT 27 2004

Docket No.: 21381-00067-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
John A. Montgomery et al.

Application No.: 09/889,287

Confirmation No.: 2444

Filed: July 16, 2001

Art Unit: 1623

For: METHODS FOR SYNTHESIZING 2-
CHLORO-9-(2-DEOXY-2-FLUORO-B-D-
ARABINOFURANOSYL)-9H-PURIN-6-
AMINE

Examiner: D. Khare

TRANSMITTAL OF ADDITIONAL FEES AND
DECLARATION OF BURTON A. AMERNICK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has come to the undersigned's attention that small entity status was claimed in the filing of a Notice of Appeal and a Petition for Extension of Time under 37 CFR 1.136(a) on September 20, 2004 in the above-referenced case, and that, consequently, the fees paid for these filings were paid at the small entity rates. The small entity claim was erroneous and therefore the fees paid were deficient.

In order to correct this error, attached is a Fee Transmittal for FY 2005 authorizing payment of the additional fees required.

I hereby declare that the error was clerical, that there was no intent to deceive or otherwise defraud the United States Patent and Trademark Office, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful

Application No.: 09/889,287

Docket No.: 21381-00067-US

false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

If anything further is required in order to correct the error which occurred, or if there are any questions, please do not hesitate to contact me.

Dated: October 25, 2004

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

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Attorney for Applicant

PTO/SB/17 (10-04v2)


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FEE TRANSMITTAL for FY 2005		Complete if Known	
<small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Application Number	09/889,287-Conf. #2444
		Filing Date	July 16, 2001
		First Named Inventor	John A. Montgomery
		Examiner Name	D. Khare
		Art Unit	1623
		Attorney Docket No.	21381-00067-US
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$)		225.00	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
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ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,620</td><td>1812</td><td>2,620</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>55.00</td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td>170.00</td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Burton A. Amerjian	Registration No. (Attorney/Agent)	24,852
Signature		Telephone	(202) 331-7111
		Date	October 25, 2004